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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/608,750	06/30/2000	Mario Nemirovsky	P3815	2165

24739 7590 03/04/2003

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EXAMINER

ANYA, CHARLES E

ART UNIT	PAPER NUMBER
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2126

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DATE MAILED: 03/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/608,750

Applicant(s)

NEMIROVSKY ET AL.

Examiner

Charles E Anya

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 June 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 22 - 31 objected to because of the following informalities: The Applicant improperly numbered the listed claims (The number "22" is duplicated). The Examiner corrected the numbering and as result there are 32 claims instead of 31.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 – 32 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 5,634,015 to Chang et al.

As to claim 1, Chang teaches Background Event Buffer Manager (Generic Adapter Manager 18 Col. 10 Ln. 33 – 67, Col. 11 Ln. 13 – 47), a Data Processing System (Generic High Bandwidth Adapter Col. 9 Ln. 45 – 49), Events ("packets... Col. 10 Ln. 33 – 67), a Processor (Processor Subsystem (P) 14 Col. 9 Ln. 50 – 67), a Port ("adapter port..." Col. 10 Ln. 33 – 67), a Queuing Function (PMI 20 Col. 10 Ln. 40 – 67, GAM primitives Col. 14, Ln. 1 – 19), a Notification Function (GAM Col. 11 Ln. 33 – 37), and characterized, in that the BEBM handles all events ordering and accounting for the

processor (GAM 18 Col. 10 Ln. 42 – 44, Col. 11 Ln. 22 – 25, “packet enqueue/dequeue...” Col. 14 Ln. 1 – 4).

As to claim 2, Chang teaches a Type (“packet traffic type...” Col. 20 Ln. 38 – 41), Event Priority (“priority...” Col. 4 Ln. 63 – 67) and Acknowledgment (Queue Status Register “ON” Col. 31 Ln. 62 – 67, “ON...” Col. 32 Ln. 57 – 67).

As to claim 3, Chang teaches acknowledgment as having multiple states (“ON...” Col. 32 Ln. 1 – 10, (“ON...” Col. 32 Ln. 57 – 67) and Processor Unaware State (“ON...” Col. 31 Ln. 62 – 67).

As to claim 4, Chang teaches a state of processor aware (“ON...” Col. 32 Ln. 57 – 67, Col. 33 Ln. 39 – 43).

As to claim 5, Chang teaches a Function (“OFF...” Col. 33 Ln. 1 – 9) and Ready (“further queue notification...” Col. 33 Ln. 6 – 9).

As to claim 6, claim 5 meets claims 6 and also note that buffering the process of sending the acknowledgment would be inherent because the status register is a buffer that describes the status of the processor.

As to claim 7, see the rejection claim 2.

As to claim 8, Chang teaches a Network Packet Router (“network router...” Col. 25 Ln. 45 – 49).

As to claim 9, claim 1 meets claim 1 expect for a memory.  
Chang teaches a Memory (Packet Memory 16 Col. 15 Ln. 5 – 17).

As to claim 10, see the rejection of claim 2.

As to claim 11, see the rejection of claim 3.

As to claim 12, see the rejection of claim 4.

As to claim 13, see the rejection of claim 5.

As to claim 14, see the rejection of claim 6.

As to claim 15, see the rejection of claim 7.

As to claim 16, see the rejection of claim 8.

As to claim 17, see the rejection of claim 9.

As to claim 18, see the rejection of claim 2.

As to claim 19, see the rejection of claim 3.

As to claim 20, see the rejection of claim 4.

As to claim 21, see the rejection of claim 5.

As to claim 22, see the rejection of claim 6.

As to claim 23, see the rejection of claim 7.

As to claim 24, see the rejection of claim 8.

As to claim 25, see the rejection of claim 1.

As to claim 26, see the rejection of claim 2.

As to claim 27, see the rejection of claim 3.

As to claim 28, see the rejection of claim 4.

As to claim 29, see the rejection of claim 5.

As to claim 30, see the rejection of claim 6.

As to claim 31, see the rejection of claim 7.

As to claim 32, see the rejection of claim 8.

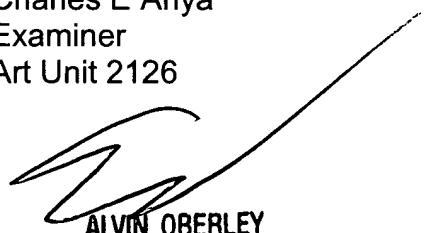
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M – F (First Friday Off) from 8:30 am to 5:30 pm.

The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Charles E Anya  
Examiner  
Art Unit 2126



ALVIN OBERLEY  
SUPERVISORY PATENT EXAMINER  
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